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Leza L Olson 08/30/2006 10:39:41 AM From DB/Inbox: Leza L Olson

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DISSEMINATION: ECON
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E.O. 12958: DECL: 08/29/2016
TAGS: [PREL](#) [PGOV](#) [KWBG](#) [IS](#)
SUBJECT: MOJ PROPOSAL ON ILLEGAL OUTPOSTS MAY UNDERMINE
SASSON RECOMMENDATIONS

Classified By: Ambassador Richard H. Jones for reasons 1.4 (b) and (d)

¶1. (U) Israeli press reported on August 28 that the Ministry of Justice (MOJ) is preparing a proposal that could undermine the recommendations made in Talia Sasson's March 2005 report on illegal outpost activity in the West Bank. According to Sasson, who was quoted in the article, the MOJ's proposal would retroactively approve several illegal outposts and enable them to receive government funding through an "exceptions committee." It would allow "reasonable and immediately adjacent" expansions of existing settlements with approvals only from the local or regional councils, whereas in the past GOI approval was necessary for any and all building the West Bank. In addition, the proposal does not mention evacuating illegal outposts, and replaces Sasson's list of illegal outposts with a much smaller list. According to the article, Sasson said that the MOJ proposal sends a message that there are no consequences to breaking the law and that the concept of rule of law has no meaning. The MOJ proposal would also violate the principles of security and government administration in the territories if the government cedes approval authority to the regional councils, and provides public funding for illegal investment in the West Bank.

¶2. (C) Yariv Oppenheimer, secretary general of Peace Now, and Boaz Karni, treasurer of the Economic Cooperation Foundation, (please protect) both told econoff on August 29 that they are surprised at the MOJ's proposal. Karni suggested that the implications for outposts activity in the West Bank might be worse than mentioned in the article, and said that it is outrageous that the Israeli government is not acting against illegal outposts.

¶3. (C) Oppenheimer characterized the proposal as "awful," and said that it raises two fundamental questions: what happens to existing outposts and how does the process by

which the government decides to build in the West Bank change. He agreed with Sasson's analysis that illegal outposts are not going to be evacuated, and that some may even be retroactively approved. He said that the proposal also changes the way in which the government makes a decision on building in the West Bank, making it easier because the entire cabinet will no longer have to vote on where and what to build. He explained that the proposal suggests a committee comprised of the prime minister, and defense, justice, housing, interior, and agriculture ministers as the only necessary parties to approve construction plans, and that it removes the Ministry of Defense's "veto" because the minister's signature is no longer needed for building permits.

14. (C) Comment: We are withholding judgment on determining whether this constitutes a reneging of commitments to the USG vis-a-vis illegal outposts until we meet with Talia Sasson later this week. End comment.

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JONES